

PROB 12B  
(7/93)

**United States District Court**

for the

**Eastern District of Washington**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Report Date: July 23, 2007  
FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUL 30 2007

JAMES R. LARSEN, CLERK  
RICHLAND, WASHINGTON DEPUTY

Name of Offender: Delmar Edmond Marsengill

Case Number: 2:02CR00044-001

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea

Date of Original Sentence: 10/4/2002

Type of Supervision:

Original Offense: Unlawfully Manufacturing Over  
100 Marijuana Plants., 21 U.S.C. § 841(a)(1)

Date Supervision Commenced: 07/20/2007

Original Sentence: Prison - 70 Months; TSR - 48  
Months

Date Supervision Expires: 07/19/2011

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

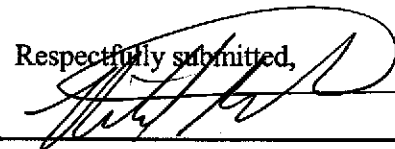
- 15 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**CAUSE**

Pursuant to Ninth Circuit case law, *United States v Stephens*, the above request for modification of the offender's conditions of supervision is being requested with his consent.

Respectfully submitted,

by

  
Richard B. Law  
U.S. Probation Officer  
Date: July 23, 2007

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**Re: Marsengill, Delmar Edmond**

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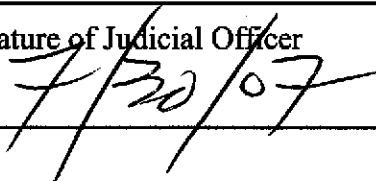
**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

Date



# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

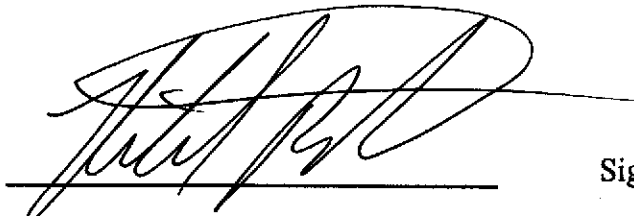
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

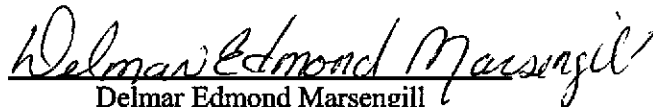
- 15 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Witness:



U.S. Probation Officer

Signed:



Delmar Edmond Marsengill  
Probationer or Supervised Releasee

July 23, 2007

Date